

JOAN C. WRIGHT, ESQ.
Nevada State Bar No. 1042
RYAN D. RUSSELL, ESQ.
Nevada State Bar No. 8646
ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.
402 North Division Street
P. O. Box 646
Carson City, NV 89702
Phone: (775) 687-0202
Facsimile (775) 882-7918
E-mail: jwright@allisonmackenzie.com
rrussell@allisonmackenzie.com

Attorneys for Plaintiffs, MATTHEW
CURITTI and MARIA CURITTI

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

MATTHEW CURITTI and MARIA CURITTI,
individuals,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N. A.; CJT
FINANCIAL CROUP; and DOES I-XX,
inclusive,

Defendants.

CASE 3:12-cv-00442-RCJ-WGC

JPMORGAN CHASE BANK, N. A.

Counterclaimant,

v.

MATTHEW CURITTI and MARIA CURITTI,

Counterdefendants.

**STIPULATION AND
[PROPOSED] ORDER TO
RELEASE FUNDS, VACATE
ORDER, ENTER JUDGMENT
QUIETING TITLE AS AGAINST
JPMORGAN CHASE BANK,
N.A., AND DISMISS CLAIMS
WITH PREJUDICE**

JPMORGAN CHASE BANK, N. A.

Third Party Plaintiff,

v.

JASON S. PETERSON, an individual;
ANGELINA PETERSON aka ANGELINA LARA,
an individual; RACHEL BARSTOW aka

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
402 North Division Street, P. O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

1 RACHEL PETERSON an individual;)
 2 ROBERT CONDON, an individual;)
 3 CAMERON IACOVELLI, an individual;)
 4 KELLY IACOVELLI, an individual;)
 5 JAMES C. CASTLE aka J. CHRISTOPHER)
 6 CASTLE, an individual;)
 7 CJT FINANCIAL GROUP,)
 8 GOLDEN HILLS TRUST,)
 9 REMUS A. KIRKPATRICK aka AL)
 10 KIRKPATRICK, an individual; AND DOES 1-100,)
 11 inclusive,)
 12 Third Party Defendants.)

13 Defendant JPMorgan Chase Bank, N.A. (“Chase”), and Plaintiffs Matthew Curitti and Maria
 14 Curitti (“Curittis”), by and through their respective counsel, hereby stipulate and agree as follows:

15 IT IS STIPULATED AND AGREED that Chase and the Curittis have resolved their
 16 respective claims against each other in this action; and, accordingly,

17 IT IS FURTHER STIPULATED AND AGREED that none of the parties herein shall enforce
 18 the Order entered in this action on March 7, 2013, as Docket No. 56 (the “Order”), and the Order
 19 shall be deemed withdrawn, vacated, and of no further force or effect; and

20 IT IS FURTHER STIPULATED AND AGREED that the Court Clerk shall be directed to
 21 immediately release to Chase any and all funds on deposit with the Court Clerk related to this action,
 22 including any funds that may remain on deposit with the Clerk of the Court of the Third Judicial
 23 District Court in and for the State of Nevada, County of Lyon, the Court in which this action
 24 originated; and

25 IT IS FURTHER STIPULATED AND AGREED that title to the property at issue in this
 26 action, commonly known as 1711 Branding Court, Fernley, Nevada 89406 (the “Property”), and
 27 more particularly described in Exhibit 1 attached hereto, shall be quieted in Curittis with respect to
 28 all claims of Chase (including, without limitation, all claims of any predecessors of Chase), and that
 the Court may enter a judgment quieting title in the Property in favor of Curittis as against all parties
 to this action, and all parties claiming under such parties, whether such persons are attempting to
 enforce any deed of trust or asserting any adverse claim to Curittis’ title to the Property for any
 reason, upon entry of a Default Judgment against CJT Financial; and

1 IT IS FURTHER STIPULATED AND AGREED that all claims of the Curittis not resolved
2 by the entry of a Judgment Quieting Title in the Curittis, asserted in this action against Chase, and
3 all claims of Chase asserted in this action against the Curittis, shall be dismissed with prejudice, with
4 each of the parties to bear its own attorneys' fees and costs.

5 DATED this 23rd day of July, 2013.

DATED this 23rd day of July, 2013.

6 SMITH LARSEN & WIXOM

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT
& FAGIN, LTD.

7 /s/ KENT F. LARSEN

/s/ RYAN D. RUSSELL

8 Kent F. Larsen, Esq.
9 Nevada Bar No. 3463
Katie M. Weber, Esq.
10 Nevada Bar No. 11736
1935 Village Center Circle
11 Las Vegas, Nevada 89134
Attorneys for Defendant
12 JPMorgan Chase Bank, N.A.

Joan C. Wright, Esq.
Nevada Bar No. 1042
Ryan D. Russell, Esq.
Nevada Bar No. 8646
402 N. Division St.
Carson City, NV 89702
Attorneys for Plaintiffs
Matthew Curitti and Maria Curitti

13
14 IT IS SO ORDERED:

15 
16 UNITED STATES DISTRICT JUDGE

17 DATED: ___ October 15, 2013 ___
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF NEVADA,
COUNTY OF LYON, DESCRIBED AS FOLLOWS

LOT 124, AS SHOWN ON THE FINAL MAP OF RIVER RANCH SUBDIVISION UNIT #2,
RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA, ON AUGUST
11, 2003, AS DOCUMENT NO. 301877.

EXCEPTING THEREFROM ANY AND ALL WATER RIGHTS AS APPORTIONED BY
THE TRUCKEE-CARSON IRRIGATION DISTRICT.

ASSESSOR'S PARCEL NO 20-942-07